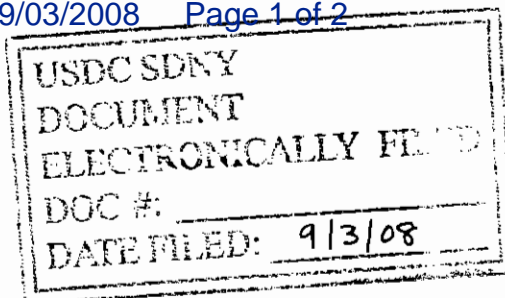
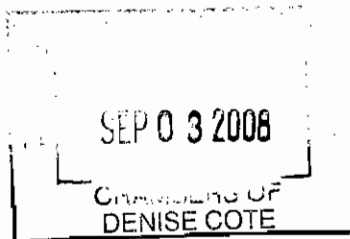


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September 3, 2008

30-0001

By Hand

The Honorable Denise L. Cote
 United States District Court
 Southern District of New York
 500 Pearl Street, Room 1040
 New York, New York 10007

MEMO ENDORSED

Re: *Trustees of the 1199/SEIU Greater New York Benefit Fund, et al. v.
 Kingsbridge Heights Rehabilitation Care Center, 07-CV-9744 (DLC)*

Dear Judge Cote:

As you know, I am counsel to defendant Kingsbridge Heights Rehabilitation Care Center in the above-captioned action. I write this letter with the consent of the plaintiffs in this action.

Over the course of the past several weeks, the parties have been engaged in settlement discussions and have made progress towards reaching a resolution of the claims in this action, as well as certain other monetary claims which plaintiffs seek to resolve. We have tentatively reached agreement as to most of the issues in dispute and defendants have made certain payments and have agreed to make other payments imminently in furtherance of the contemplated settlement. Nonetheless, a handful of issues remain which require further legal analysis, documentary support and discussion.

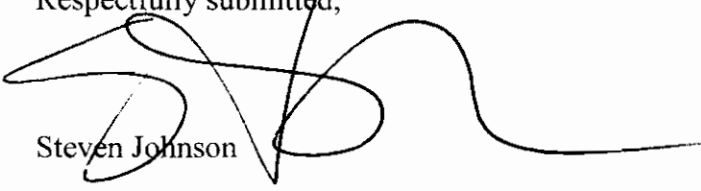
Pursuant to the Scheduling Order issued by Your Honor in this action, on August 15, 2008, plaintiffs filed and served their motion for summary judgment. Defendant's opposition is due on September 5, 2008 and plaintiffs' reply papers are due on September 12, 2008. In order not to derail these settlement discussions, defendant respectfully request that the dates for submission of defendant's opposition papers and plaintiffs' reply papers be extended two weeks. Plaintiffs consent to this request. The parties have requested a two week extension of these dates, rather than a one week extension, in part, as an accommodation to my travel schedule the week of September 8, 2008. With this extension, we are confident we will be able to resolve the remaining issues and voluntarily dismiss this action without the need for a ruling on the pending summary judgment motion.

KennedyJohnsonGallagher LLC

The Hon. Denise L. Cote
September 3, 2008
Page 2 of 2

Accordingly, the parties respectfully request that defendant's time to submit papers in opposition to plaintiffs' summary judgment motion be extended through and including September 19, 2008 and that plaintiffs' time to submit reply papers in support of its motion for summary judgment be extended through and including September 26, 2008.

Respectfully submitted,


Steven Johnson

SJ: rrw

cc: Hanan Kolko, Esq.

/ Granted.
Denise Cote
Sept. 3,
2008